

P20918.P01

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. P20918

Total Pages

Inventor(s) or Application Identifier  
Fred ZACOUTO, Efrén Vigil CABALLERO, and Jose Angel Alvarez CANAL

Title: SKELETAL IMPLANTS

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

## APPLICATION ELEMENTS

## ACCOMPANYING APPLICATION PARTS

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
  - a. ☐ Small Entity Statement(s)
3. ☒ Specification (preferred arrangement set forth below) [Total Pages 69]
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 USC 113) [Total Sheets 26]
- ☒ Oath or Declaration [Total Pages 4]
  - a. ☐ Newly executed (original or copy) ☐ Unexecuted
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 20 completed)  
[Note Box 6 below]
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
- ☒ Incorporation By Reference (useable if Box 5b is checked)  
The entire disclosure of the prior application, from which a  
copy of the oath or declaration is supplied under Box 5b, is  
considered as being part of the disclosure of the accompanying  
application and is hereby incorporated by reference therein.
- ☐ Application Data Sheet. See 37 CFR 1.76
- ☐ CD-Rom or CD-R in duplicate, large table or Computer  
Program (Appendix)

9. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies
- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☒ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- ☒ Figure of Drawing to be published 64
- ☒ Foreign priority claimed
  - a. ☒ Claim of Priority
  - b. ☐ Certified Copy of Priority Document(s)
- ☐ Assignee: \_\_\_\_\_
- ☒ Other: Request for Examiner Approval of Drawing  
Amendment (with three sheets)  
Copy of Request for Extension of Time filed concurrently in  
Parent Application No. 09/200,855 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

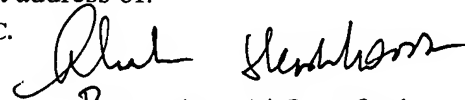
☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior Application No. 09/200,855, filed November 30, 1998.  
Prior application information: Examiner: \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

 21. ☐ Amend the specification by inserting before the first line the sentence:  
This application is a \_\_\_\_\_ continuation-in-part, \_\_\_\_\_ continuation, \_\_\_\_\_ divisional, of Application No. \_\_\_\_\_/\_\_\_\_\_, filed \_\_\_\_\_.

Address all future correspondence to Customer No. 7055 at the present address of:

 GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

 January 9, 2002  
Date

  
Reg. No. 45, 294  
Signature

 Neil F. Greenblum, Reg No. 28,394  
Typed or Printed Name


07055

PATENT TRADEMARK OFFICE

## FEE TRANSMITTAL

Complete if Known

FEE TRANSMITTAL		Application Number		Not Yet Assigned	
		Filing Date		Concurrently Herewith	
		First Named Inventor		F. ZACOUTO et al.	
		Group Art Unit		Unassigned	
		Examiner Name		Unassigned	
TOTAL AMOUNT OF PAYMENT		(\$370.00)		Attorney Docket Number	P20918

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																																	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number <u>19-0089</u> Deposit Account Name <u>GREENBLUM &amp; BERNSTEIN, P.L.C.</u> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3)) <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) <input checked="" type="checkbox"/> Applicant Claims Small Entity Status See 37 CFR 1.27. 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR Prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for response within 1st month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for response within 2nd month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for response within 3rd month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for response within 4th month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for response within 5th month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of IDS</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr><td colspan="5">SUBTOTAL (3) (\$)</td><td>0</td></tr> </tbody> </table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - 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SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Neil F. Greenblum	Abraham HersHKovitz	Reg. Number	28,394	45,294
Signature	<i>Neil F. Greenblum</i>	<i>Abraham HersHKovitz</i>	Date	1/9/02	Deposit Account User ID

P20918.P03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :F. ZACOUTO et al.

Serial No. :Not Yet Assigned

Filed :Concurrently Herewith

For :SKELETAL IMPLANT



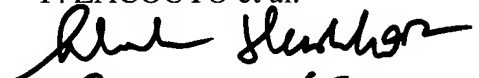
**CLAIM OF PRIORITY**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Applicant hereby claims the right of priority granted pursuant to 35 U.S.C. 119 based upon French Application Nos. 9609157, filed July 22, 1996 and 9805549, filed April 30, 1998. As required by 37 C.F.R. 1.55, certified copies of the French applications have been filed in parent Application No. 09/200,855, filed November 30, 1998

Respectfully submitted,  
F. ZACOUTO et al.

  
Reg. No. 45,294

Neil F. Greenblum  
Reg. No. 28,394

January 9, 2002  
GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

COPY

P17281.A19



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Fred ZACOUTO et al.	)	
		)	Group A.U. 3738
Appln. No.:	09/200,855	)	
		)	Examiner B. Snow
Filed:	November 30, 1998	)	
		)	
For:	SKELETAL IMPLANT	)	

REQUEST FOR EXTENSION OF TIME

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please extend the period for responding to the Final Office action dated July 11, 2001, by three months, from October 11, 2001 to January 11, 2002. Applicants are filing this extension of time for the purpose of establishing copendency with a concurrently filed continuation application.

A check in the amount of \$460.00 is enclosed for the three month extension of time fee. The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 19-0089.

Respectfully submitted,  
Fred ZACOUTO et al.

*Neil F. Greenblum* #45,294

Neil F. Greenblum  
Reg. No. 28,394

NFG/AH/JP  
January 8, 2002  
GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

P20918.A02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Fred ZACOUTO et al.

Group Art Unit: 3738

Appln. No. : Unknown

(Continuation of US application 09/200,855)

Examiner: B. Snow

Filed : Concurrently herewith

For : SKELETAL IMPLANT

**REQUEST FOR EXAMINER APPROVAL OF DRAWING AMENDMENT**

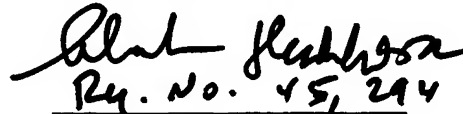
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Attached hereto are three drawing sheets, which include changes to FIGS. 46, 47 and 64 indicated in red. These drawings are being filed concurrently with Applicants' Preliminary Amendment.

The Examiner is respectfully requested to indicate approval of the entry of the amended drawings in the next Office action.

Respectfully submitted,  
Fred ZACOUTO et al.

  
Reg. No. 45, 294

Neil F. Greenblum  
Reg. No. 28,394

January 8, 2002  
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